

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
) INDICTMENT NO. 05-10039-NG
)
v.)
)
ARCENIO POCHE-CHACON)
aka ANDRES DEL ROSARIO ALAYON)

DEFENDANT’S ASSENTED TO MOTION TO CONTINUE
STATUS HEARING

Arcenio Poche-Chacon (the “Defendant”), in the above-numbered Indictment and through Counsel, moves this Court to continue the status hearing on this matter currently scheduled for August 1, 2007.

In support of this motion the defendant’s counsel states that as of the last status conference, the Government agreed that the defendant qualified for a safety valve status in this case. Defendant’s counsel needs additional time, due to the need for an interpreter, to fully explain the ramifications of this decision to the defendant. Counsel for the defendant expects that this case will be disposed of by a Rule 11 plea of guilty.

Respectfully submitted,
ARCENIO POCHE-CHACON,
By his Counsel:

‘/s/Walter H. Underhill, Esquire’
WALTER H. UNDERHILL
66 Long Wharf
Boston, Massachusetts 02110
(617) 523-5858

DATED: July 31, 2007

SPEEDY TRIAL WAIVER

The defendant agrees that the time from August 1, 2007 until the next scheduled hearing date is excludable time under the Speedy Trial Act and hereby waives said period of time.

SIGNED: ‘/s/Walter H. Underhill, Esquire’
WALTER H. UNDERHILL, ESQ.

RULE 7.1 CERTIFICATION

The parties have had an opportunity to confer on this motion and the motion is assented to by the attorney for the Government, Paul Moore, Esquire.

SIGNED: ‘/s/Walter H. Underhill, Esquire’

DATE: August 1, 2007